

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

July 9, 1998

DIVISION ONE

B116954 People
 v.
 Ontiveros

Filed order modifying opinion. (No change in the judgment.)

DIVISION TWO

B108356 People (Not for Publication)
 v.
 Hernandez

The judgment is affirmed.

Zebrowski, J.

We concur: Fukuto, Acting P.J.
 Nott, J.

DIVISION FOUR

B113771 People (Not for Publication)
 v.
 Salmonson

The Court:

For the foregoing reasons, the judgment is modified to grant appellant a total of 67 days of presentence custody credit and, as modified, is affirmed. The trial court is instructed to prepare a modified Abstract of Judgment in accord with this disposition and to forward it to the Department of Corrections.

Vogel (C.S.), P.J., Epstein, J., Hastings, J.

DIVISION FOUR (Continued)

B115017 People (Not for Publication)
v.
Castorena

For the foregoing reasons, the judgment is modified to award appellant 1051 days of local custody credits, consisting of 701 actual days in local custody plus 350 days of conduct credit. Appellant is also entitled to credit for the 650 days he spent in the custody of the Department of Corrections between the time of his initial sentencing and remand for retrial, together with any conduct credits he may have earned during that time. The lower court is directed to prepare an amended Abstract of Judgment and forward it the Department of Corrections in accordance with this opinion. As modified, the judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

B105722 Sharkov (Not for Publication)
v.
Wheeler

The judgment is reversed, and the matter remanded for a new trial. Appellant is awarded costs on appeal.

Cooper (F.M.), J. (Assigned)

We concur: Epstein, Acting P.J.
Hastings, J.

July 9, 1998-Continued

DIVISION FOUR (Continued)

B101716 Beyda (Certified for Publication)

v.
City of Los Angeles

The judgment is affirmed.

Epstein, Acting P.J.

We concur: Hastings, J.
 Czuleger, J. (Assigned)

DIVISION FIVE

B113017 Patricia Cochran (Certified for Partial Publication)

v.
Johnnie Cochran

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

B116300 People (Not for Publication)

v.
Rafael Rincon

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

July 9, 1998-Continued

DIVISION FIVE (Continued)

B117681 People (Not for Publication)
v.
Michael D.

The order is modified to reflect a maximum period of confinement of five years. As modified, the order is affirmed.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

B117744 People (Not for Publication)
v.
Robert Hines

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

B114006 Cali-Fame of Los Angeles (Not for Publication)
v.
Pacific Compensation Insurance Company

The judgment is reversed. Appellant Cali-Fame of Los Angeles, Inc. is awarded its costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Godoy Perez, J.

July 9, 1998-Continued

DIVISION SIX

Court convened at 9:00 A.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B112500 Woolsey v. Home Savings

Argument waived, cause submitted.

B117456 Schiller v. Pruner

Argument continued to August, 1998.

B118528 Fabrics v. Unemployment Insurance Appeals Board

Case settled, ordered off calendar.

B115577 Wayne
 v.
 Allstate Insurance Co.

Merits:

Argued by Gary Wayne, appellant appearing in propria persona, and by Andrew K. Whitman for respondent. Cause submitted.

B116383 Mantor
 v.
 Simi Associates

Merits:

Argued by Ramin Azadegan for respondent Simi Associates and by Richard D. Marks for respondent Rancho Cortijo. Appellant previously waived argument. Cause submitted.

DIVISION SIX (Continued)

B115765 Herrera
 v.
 State of California

Merits:
Argued by Denise A. Brogna for appellant and by Stanley W. Gilson for respondent. Cause submitted.

B116718 Preferred Risk Mutual Ins. Co.
 v.
 Reisweg

Merits:
Argued by Lori B. Feldman for appellant and by Mark B. Connely for respondent. Cause Submitted.

Stone, P.J. leaves the bench.

B116527 Moore
 v.
 Yaspan

Merits:
Argued by James E. Moore, in propria persona, and by Stephen Daly for respondent. Cause submitted.

Court recessed at 10:20 A.M.

Court reconvened at 1:30 P.M.

Present: Stone, P.J., Gilbert, J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B108550 People v. Tavira & Lopez
B111162 People v. Polanco & Felix
B112731 People v. Rodriguez
B116042 People v. Ortiz
B116442 People v. Richard M.
B116565 People v. Gonzalez
B116667 People v. Buntyn

Argument waived, cause submitted.

B111975 People
 v.
 Cortez

Merits:

Argued by Susan Wolk for appellant and argument previously waived by respondent. Cause submitted.

B116925 People
 v.
 Sellmeyer

Merits:

Argued by Alexander Lambrous for appellant and by Jason C. Tran, Deputy Attorney General, for respondent via video conference. Cause submitted.

B116673 People
 v.
 Ables

Merits:

Argued by Gabriele Mezger-Lashly for appellant and by Analee J. Nations, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B113075 People
 v.
 Bolden, Pinon & Payne

Merits:

Argued by Barbara Michel for appellant Pinon and by Stephanie A. Miyoshi, Deputy Attorney General, for respondent. Argument previously waived by appellants Bolden and Payne. Cause submitted.

B112650 People
 v.
 Collins

Merits:

Argued by Tamara P. Holland for appellant and by David Andrew Eldridge, Deputy Attorney General, for respondent. Each side shall serve and file supplemental briefs in regard to the issues in *People v. DeLoza* (S061929, July 9, 1998) ___Cal.4th___ [1998 WL 378103] within 10 days, at which time the matter will stand submitted.

Coffee, J. leaves the bench.

B113184 People
 v.
 Byrd

Merits:

Argued by Michael B. Dashjian for appellant and by Victoria Bedrossian, Deputy Attorney General, for respondent via video conference. Cause submitted.

Court adjourned at 2:55 P.M.

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Kwong, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

Each of the following:

B110098 People v. Urruetia
B111461 People v. Chakmakchian
B111547 People v. Everett
B113477 People v. Becerra
B114028 People v. Taylor
B114596 People v. Brooks
B114660 People v. Saenz
B114926 People v. Carrillo
B114964 People v. Martin R.
B115026 People v. Sierra
B115483 People v. Edgar G.
B116022 People v. Jillson
B116662 People v. David M.
B116877 People v. Lambert
B117922 People v. Brandon B.
B118652 People v. Desiree W.
B120475 James P. v. SCLA
B115077 People v. Pitcher

Argument waived, cause submitted.

B108559 People
 v.
 Shaw

Merits:

Argued by Jacqueline Mangum for appellant and by G. Tracey Letteau for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B108843 People
 v.
 Fugawa

Merits:

Argued by Scott Gailen for appellant and by Robert Schneider, deputy attorney general, for respondent. Cause submitted.

B114467 People
 v.
 Gallegos

Merits:

Argued by Lynn Etkins for appellant and by Michael Wise, deputy attorney general, for respondent. Cause submitted.

B113198 People
 v.
 Rodriguez

Merits:

Argued by Chris R. Redburn for appellant and by William Harter, deputy attorney general, for respondent. Cause submitted.

B110833 Lopez
 v.
 City of Los Angeles

Merits:

Argued by Thomas Shambaugh for appellant and by Janet G. Bogigian, deputy city attorney, for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B115562 Sondon
 v.
 R.S. Falcon Investments, et al.

Merits:
Argued by Richard Lense for appellant and by Ilbert Phillips for
respondents. Cause submitted.

B112043 People
 v.
 Brown

Merits:
Argued by Gregory R. Ellis for appellant and by Kenneth Byrne, deputy
attorney general, for respondent. Cause submitted.

B109779 Tuck
 v.
 Westec Security, Inc.

Merits:
Argued by Don Howarth for appellant and by Judith M. Sasaki for
respondent. Cause submitted.

B114858 People
 v.
 Truesdale

Argument waived, cause submitted.

B109607 People
 v.
 Johnson

Oral argument continued to September 3, 1998.

DIVISION SEVEN (Continued)

B111053 People
 v.
 Newman

Oral argument continued to August 6, 1998.

B116034 O'Brien
 v.
 Welch

Argument waived, cause submitted.

B116085 Pair City Development
 v.
 Apoca, Inc.,

Oral argument continued to August 6, 1998.

B118555 Walls
 v.
 W.C.A.B.

Argument waived, cause submitted.

B121094 Joseph S.
 v.
 SCLA
 (DCFS, r.p.i.)

Matter ordered off calendar.

DIVISION SEVEN (Continued)

B117316 People
 v.
 Sparks

Oral argument continued to August 6, 1998.

B110199 Trent
 v.
 Regents of the University of Calif.

Merits:
Argued by Jennifer S. Hegemier for appellant and by Edward L. Xanders
for respondent. Cause submitted.

B110749 People
 v.
 Knight

Merits:
Argued by Armand Arabian and David Kenner for appellant and by Steven
D. Matthews, deputy attorney general, for respondent. Cause submitted.

Court recessed.

The Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., and Emma Jean Amos, Deputy
Clerk.

B119189 Citibank, F.S.B.
 v.
 Boren

Merits:
Argued by Barry G. West for appellant and by Allan Ruggles for
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B119418 M/A Comm/Phi
 v.
 W.C.A.B.
 (Sevadjian, r.p.i.)

Merits:

Argued by Larry D. Preece for petitioner and by Stephen A. Wolfson for respondent. Cause submitted.

B096046 Conrad
 v.
 Rosenthal

Merits:

Jerome B. Rosenthal appellant appearing in propria persona and waiving argument and there being no appearance by counsel for respondent. Cause submitted.

B107793 Real Holding Company, et al.
 v.
 Marlin

Merits:

Argued by Hillel Chodos for appellant and by Aton Arbisser for respondents and by Mark Kalisch for respondent. Cause submitted.

B106302 Los Amigos De Caballero Canyon
 v.
 Santa Monica Mountains Conservancy

Merits:

Argued by Daniel A. Olivas, deputy attorney general, for appellant and by H. Melvin Swift for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B110218 Shay
 v.
 City of Pasadena, et al.

Oral argument continued to August 6, 1998.

B109234 Isaac, et al.
 v.
 City of Los Angeles

Merits:

Argued by Susan Lopez, assistant deputy city attorney, for appellant and by William Kerr, Michael D. Berk, Leanne J. Fisher and James Kropff for respondents. Cause submitted.

B109059 Afriat
 v.
 Ungvari

Merits:

Argued by Robert M. Ungar for appellant and by Craig J. Englander for respondent. Cause submitted.

Court adjourned.